

## **IC 12-14-17**

### **Chapter 17. Supplemental Assistance; Funeral and Cemetery Expenses**

#### **IC 12-14-17-1**

##### **Application of chapter**

Sec. 1. This chapter applies to the following individuals:

- (1) An individual who receives supplemental assistance to the aged.
- (2) An individual who receives supplemental assistance to the blind.
- (3) An individual who receives supplemental assistance for persons with disabilities.
- (4) An aged, blind, or disabled person who, at the time of death, was certified to receive medical assistance under Medicaid.

*As added by P.L.2-1992, SEC.8. Amended by P.L.1-1994, SEC.58.*

#### **IC 12-14-17-2**

##### **Application of section; funeral expenses payment; conditions**

Sec. 2. (a) This section applies upon the death of either of the following:

- (1) A recipient who is receiving supplemental assistance.
- (2) An aged, blind, or disabled person who at the time of death was certified as eligible to receive medical assistance under Medicaid.

(b) Unless otherwise determined by the director, the division shall pay six hundred dollars (\$600) for the funeral director's expenses of the decedent if the following conditions exist:

- (1) The estate of the deceased is insufficient to pay the funeral director's expenses.
- (2) The individual legally responsible for the burial of the deceased is unable to pay the funeral director's expenses.

*As added by P.L.2-1992, SEC.8. Amended by P.L.1-1994, SEC.59; P.L.273-1999, SEC.87.*

#### **IC 12-14-17-3**

##### **Cemetery expenses payment**

Sec. 3. Unless otherwise determined by the director, in addition to money paid by the division under section 2 of this chapter and even if the deceased or person legally responsible for the deceased possesses a burial lot, the division shall pay four hundred dollars (\$400) for the cemetery's expenses for the deceased to cover the following:

- (1) The provision of burial rights if necessary.
- (2) The opening and closing of a burial plot and provision of an outer container.
- (3) The service required by the cemetery authorities.

*As added by P.L.2-1992, SEC.8. Amended by P.L.273-1999, SEC.88.*

#### **IC 12-14-17-4**

**Funeral expenses payment; contributions excluded in determining amount**

Sec. 4. An amount not exceeding a combined total of seven hundred fifty dollars (\$750) that is contributed by:

- (1) friends;
- (2) relatives; and
- (3) the resources of the deceased;

may not be considered when determining the amount to be paid to the funeral director for expenses under this chapter. However, the resources of the deceased may not be used if the deceased has prepaid funeral expenses that were excluded as a resource for Medicaid eligibility under IC 12-15-2.

*As added by P.L.2-1992, SEC.8. Amended by P.L.118-1997, SEC.3.*

**IC 12-14-17-5**

**Cemetery expenses payment; contributions excluded in determining amount**

Sec. 5. An amount not exceeding a combined total of two hundred dollars (\$200) that is contributed by:

- (1) friends;
- (2) relatives; and
- (3) the resources of the deceased;

may not be considered when determining the amount to be paid to the cemetery for expenses under this chapter. However, the resources of the deceased may not be used if the deceased has prepaid funeral expenses that were excluded as a resource for Medicaid eligibility under IC 12-15-2.

*As added by P.L.2-1992, SEC.8. Amended by P.L.118-1997, SEC.4.*

**IC 12-14-17-6**

**Claims for expenses**

Sec. 6. (a) The funeral director and the cemetery representative shall file a sworn claim with the county office indicating expenses incurred due to the death of a recipient.

(b) With respect to supplemental assistance to the blind and persons with disabilities, a sworn claim must be verified and forwarded to the division for payment.

*As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.95; P.L.5-1993, SEC.108.*